

BILL ANALYSIS

H.B. 2134
By: Burkett
Government Transparency & Operation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties point out that a public information request made of a governmental body is considered to be withdrawn if the governmental body sends a request for clarification or discussion and there is no response by the requestor of the public information within a specific time frame. These parties explain that such a request made by a person who provides a physical or mailing address will not be withdrawn unless the request for clarification is sent to the address by certified mail. The parties suggest that there should be a reasonable standard for requests for public information sent by electronic mail. H.B. 2134 seeks to provide for this standard.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2134 amends the Government Code to authorize a request for public information sent by electronic mail to be considered to have been withdrawn by the requestor if the governmental body, officer for public information, or agent, as applicable, sends a request for clarification or discussion or a written request for additional identifying information in the case of a request relating to a motor vehicle record by electronic mail to the same electronic mail address from which the original request was sent or to another electronic mail address provided by the requestor and if the governmental body, officer, or agent, as applicable, does not receive from the requestor a written response or response by electronic mail by the 61st day after the date the governmental body, officer, or agent sent the request for clarification, discussion, or additional information.

EFFECTIVE DATE

September 1, 2015.